

July 26, 2005

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:00 p.m. on Tuesday, July 26, 2005 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Lieu, Mauno, McIntyre, Nowatka, Scotto, Witkowsky and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, Assistant City Attorney Pohl
City Clerk Herbers, and other staff representatives.

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Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17A) Conference with Labor Negotiator, and 17B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code Sections 54957.6 and 54956.8.

The Council reconvened in Council Chambers at 7:14 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Lieu.

Councilmember Witkowsky gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Mauno moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Lieu, and passed by unanimous roll call vote.

MOTION: Councilmember Mauno moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Walker asked that the meeting be adjourned in memory of Peter Cariveau, former City employee, who passed away July 19, 2005.

6. **COMMUNITY MATTERS**

6A. **RECOGNITION OF EXCHANGE STUDENTS FROM ROTARY CLUB OF URAWA, JAPAN**

Del Amo Rotary Club representatives Peter Pettler and Wilson Benitez introduced Emi Okada and Terao Kousuke from the Rotary Club of Urawa, Japan.

6B. **WORKFORCE INVESTMENT NETWORK BOARD MEMBERSHIP**

Recommendation

Recommendation of the **Carson/Lomita/Torrance Workforce Investment Network Policy Board** (C/L/T WiN) that City Council appoint and officially swear in as a member of the C/L/T WiN Board Dr. Christine Hoffman (Southern California Regional Occupational Center) and Lenora Thompkins (SCROC) as Voting Alternate representing Dr. Christine Hoffman, and Patricia D. Unangst as Voting Alternate representing Elaine M. Winer (City of Torrance).

MOTION: Councilmember Nowatka moved to concur with the Board's recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

City Clerk Herbers administered the oath of office to Patricia Unangst.

7. **CONSENT CALENDAR**

7A. **PURCHASE/INSTALLATION OF COMMUNICATIONS & ELECTRONICS EQUIPMENT**

Recommendation

Recommendation of the **General Services Director** and the **Chief of Police** that City Council authorize the issuance of a purchase order to Hi Standard Automotive of Orange, CA in an amount not to exceed \$89,546.78. This includes sales tax and a 10% contingency. This purchase order will cover purchase and installation of various items of communications and electronics equipment and other accessories in fourteen (14) new Ford Crown Victoria Police Interceptors (CVPI). (B2005-38)

7B. **REJECTION OF BIDS FOR CONSTRUCTION OF POLICE DEPARTMENT OFFICE BUILDING**

Recommendation

Recommendation of the **General Services Director** that City Council reject the bids received for the Construction of the Police Department Office Building (B2005-22).

7C. **INVESTMENT REPORT FOR JUNE 2005**

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of June 2005.

**7D. PURCHASE ORDER FOR COMPUTERS AND COMPUTER-RELATED
HARDWARE AND SOFTWARE**

Recommendation

Recommendation of the **Communications and Information Technology Director** that City Council approve an annual purchase order with Dell Computers, Inc. for the purchase of new and replacement PCs, servers, laptops, and miscellaneous related hardware and software for an amount not to exceed \$720,000.

7E. PLAN REVIEW EXPEDITE PROGRAM

Recommendation

Recommendation of the **Community Development Director** that City Council approve a consulting services agreement with California Code Check for plan review services on an as-needed basis, in an amount not to exceed \$250,000.

7F. CONTRACT WITH MUNI SERVICES COMPANY FOR SALES/USE TAX AUDITS

Recommendation

Recommendation of the **Finance Director** that City Council approve a three year contract with a two-year renewal option with MBIA (MuniServices Company) to provide Sales and Use Tax Audits and Consulting Services to the City of Torrance on a contingency basis at a rate of 20% of sales tax revenues recovered.

7G. TWO-YEAR CONTRACT FOR INSURANCE BROKERAGE SERVICES

Recommendation

Recommendation of the **Human Resources Director** that City Council approve a two-year contract with Driver Alliant Insurance Services (RFP B2005-09) for (non-benefit) related insurance brokerage services at an annual cost of \$50,000. The contract period will be August 1, 2005 through August 1, 2007.

7H. SOLE SOURCE PURCHASE OF CURBSIDE REFUSE CONTAINERS

Recommendation

Recommendation of the **Public Works Director** that City Council:

- 1) Appropriate \$31,916.43 from Sanitation Enterprise Fund for the purchase of automated refuse and recycling containers; and
- 2) Authorize a purchase order to be issued to Recy-Cal Supply Company of Temecula CA, the California distributor for Toter Inc., in the amount of \$31,916.43 for the sole source purchase of 672 Toter automated curbside refuse and recycling containers.

7I. SHORT-TERM CONTRACTS FOR TRANSFER STATION SERVICES

Recommendation

Recommendation of the **Public Works Director** that City Council award four short-term contracts to provide transfer station services with Waste Management, BFI, Consolidated, and Phoenix. (B2005-35) These contracts will be for a term not to exceed three months or until a new long-term contract is awarded, whichever occurs first.

MOTION: Councilmember Witkowsky moved for the approval of Consent Calendar Items 7A through 7I. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

9. PLANNING AND ECONOMIC DEVELOPMENT

9A. DESIGNATION OF THE ORIGINAL TORRANCE TRACT (LUS04-00001)

Considered out of order, see pages 7-10.

9B. DEVELOPMENT IMPACT FEES

Recommendation

Recommendation of the Community Development Director that City Council:

- 1) Review the status report regarding the Development Impact Fee Study;
- 2) Review the proposed timeline for the fee implementation process and direct staff to proceed as directed;
- 3) Authorize the expenditure of an additional \$13,000 to the original amount to complete Phase I (Transportation Facilities, Undergrounding Utilities; Sewer and Storm Drain);
- 4) Authorize the expenditure of an additional \$25,000 to complete Phase II a "Development Impact Fee Justification Study for Public Safety, Fire, and Police";
- 5) Approve an amendment to the consulting services agreement (C2004-036) to extend the term until December 26, 2005, to complete the fee implementation process for Transportation Facilities, Undergrounding Utilities, Sewer, and Storm Drain Facilities, as well as completing Phase II for Public Safety (Fire and Police); and
- 6) Authorize the Mayor to execute and the City Clerk to attest to said amendment.

Transportation Planning Manager Semaan reported that, as directed by the Council, a Development Impact Fee Justification Study has been prepared by the consulting firm of David Taussig and Associates, with the assistance of City staff, and requested that the Council concur with the timeline for finalizing Phase I impact Fees (utility undergrounding, transportation facilities, storm drains and sewers).

In response to Councilmember Nowatka's inquiry, Transportation Planning Manager Semaan confirmed that no Development Impact Fees will be charged for single-family homes.

Referring to the timeline, Councilmember Nowatka suggested that staff reschedule the second reading of the development impact fee ordinances, which is scheduled for September 13, 2005, because the Council will not be meeting on that date due to the election.

MOTION: Councilmember McIntyre moved to concur with the staff recommendation, with items to be returned to City Council on August 2, August 16 and September 20, 2005. the motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11A. TORRANCE POLICE COMMANDERS' ASSOCIATION MEMORANDUM OF INTENT AND SUPPLEMENTAL PAY RESOLUTION

Recommendation

Recommendation of the City Manager that City Council adopt in principle a Memorandum of Intent for the Torrance Police Commanders' Association (TPCA) and to adopt a supplemental Resolution establishing a pay grid effective July 10, 2005.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2005-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE COMMANDERS' ASSOCIATION (TPCA)

MOTION: Councilmember Scotto moved for the adoption of Resolution No. 2005-59. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11B. AUTHORIZATION FOR EXAMINATION OF SALES AND USE TAX RECORDS

Recommendation

Recommendation of the **Finance Director** that City Council approve a Resolution repealing Resolution No. 2004-117 and authorizing the City Manager, Assistant City Manager, Finance Director, Assistant Finance Director, MBIA MuniServices Company, or other officer or employee of the City designated in writing by the City Manager, Assistant City Manager, Finance Director, or Assistant Finance Director to the State Board of Equalization ("Board") to represent the City with authority to examine sales and use tax records of the Board.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2005-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS

MOTION: Councilmember Scotto moved for the adoption of Resolution No. 2005-60. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

12. HEARINGS

12A. AMENDMENT OF TORRANCE MUNICIPAL CODE REGARDING SPEED LIMITS

Recommendation

Recommendation of the **Community Development Director** and **Police Chief** that City Council concur with staff recommendation to amend Section 61.10.1 of the Torrance Municipal Code (TMC) to add:

- 1) Subsection "o" which adds Spencer Street between Victor Street and Madrona Avenue within the City with a maximum speed limit of twenty-five (25) miles per hour;
- 2) Subsection "p" which adds Emerald Street between Henrietta Street and Madrona Avenue within the City with a maximum speed limit of twenty-five (25) miles per hour;
- 3) Subsection "q" which adds Victor Street between Del Amo and Torrance Boulevards within the City with a maximum speed limit of twenty-five (25) miles per hour;

- 4) Subsection “r” which adds Earl Street between Del Amo and Torrance Boulevards within the City with a maximum speed limit of twenty-five (25) miles per hour and
- 5) Subsection “s” which adds Amie Avenue between Spencer Street and Torrance Boulevard within the City with a maximum speed limit of twenty-five (25) miles per hour.

Mayor Walker announced that this was the time and place for a public hearing on this item. City Clerk Herbers confirmed that the hearing was properly advertised.

Transportation Planning Manager Semaan noted supplemental material available at the meeting consisting of proof of publication.

Councilmember Witkowski asked staff to discuss the benefits of establishing a maximum speed limit of 25 miles per hour in these areas.

Police Chief Herren advised that 25 miles per hour is considered to be the safe speed for travel in the above-mentioned areas, which are primarily residential, and the proposed amendment to the TMC will allow police to use radar to enforce the speed limit.

Mary Ann Reis, Engracia Avenue, thanked staff for installing a 25 miles per hour speed limit sign on Arlington at the intersection of Arlington/Engracia/ El Dorado and recommended that another sign be added on the other side of the street.

MOTION: Councilmember Scotto moved to close the public hearing. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowski and passed by unanimous roll call vote.

ORDINANCE NO. 3669

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING SECTION 61.10.1 OF THE TORRANCE MUNICIPAL CODE
RELATED TO POSTED SPEED LIMITS WITHIN THE CITY

MOTION: Councilmember Scotto moved for the adoption of Ordinance No. 3669. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

15. SECOND READING ORDINANCES

15A. SECOND AND FINAL READING OF ORDINANCE NO. 3668

Recommendation

Second and Final Reading of Ordinance No. 3668 adding a Section 5 to Article 1 of Chapter 7 of Division 1 of the Torrance Municipal Code limiting the amount of money a candidate for any City of Torrance elective office may loan to his or her campaign.

Jason Hyde, Del Amo Boulevard, stated that he believed Ordinance No. 3668 was a step in the right direction with regard to campaign finance reform. Referring to an article in the *Daily Breeze* dated July 16, 2005, he suggested that Torrance study and consider adopting a “clean money” campaign financing system in order to limit the influence of special interest groups.

Tom Rische, Carlow Road, noted that Ordinance No. 3668 does nothing to address concerns about campaign contributions from special interest groups and voiced his opinion that it should be entitled "Incumbent Protection Act" because it makes it harder for a candidate to oppose someone who is already in office.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Mauno and passed as reflected in the following roll call vote:

AYES: Councilmembers Lieu, Mauno, Witkowsky and Mayor Walker
NOES: Councilmembers Nowatka and Scotto
ABSTAIN: Councilmember McIntyre

ORDINANCE NO. 3668

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
ADDING A SECTION 5 TO ARTICLE 1 OF CHAPTER 7 OF DIVISION 1 OF
THE TORRANCE MUNICIPAL CODE LIMITING THE AMOUNT OF MONEY
A CANDIDATE FOR ANY CITY OF TORRANCE ELECTIVE OFFICE MAY
LOAN TO HIS OR HER CAMPAIGN

MOTION: Councilmember Mauno moved for the adoption of Ordinance No. 3668. The motion was seconded by Councilmember Witkowsky and passed as reflected in the following roll call vote:

AYES: Councilmembers Lieu, Mauno, Witkowsky and Mayor Walker
NOES: Councilmembers Nowatka and Scotto
ABSTAIN: Councilmember McIntyre

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The Council met as the Redevelopment Agency from 7:40 p.m. to 7:42 p.m.

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Agenda Item 9A was considered out of order at this time.

9A. DESIGNATION OF THE ORIGINAL TORRANCE TRACT (LUS04-00001)

Recommendation

Recommendation of the **Community Planning and Design Committee** that City Council review options and adopt a Resolution for the designation of the original Torrance Tract. **LUS04-00001: City of Torrance**

Councilmember Scotto announced that he was abstaining from consideration of this item because he owns property within the subject area and it could be perceived that the naming of the area could add value to his property and exited the Council Chambers.

Councilmember Nowatka announced that, on the advice of the City Attorney, he was recusing himself from this discussion because he lives within the subject area and exited the Council Chambers.

Sr. Planning Associate Chun stated that staff was requesting that the Council consider options for the designation of the original Torrance Tract. She noted supplemental material available at the meeting consisting of correspondence received after the agenda item was prepared.

Debbie Hays, President of Torrance Historical Society, reported that the society supports designating the area within the original boundaries of Torrance as "Old Torrance Founded 1912" because it's concise and historically accurate. She suggested that this type of recognition is all the more important as Torrance is nearing its 100th anniversary and encouraged residents to join the historical society so they could learn more about their community.

Irene Alvarez, Gramercy Avenue, thanked Councilmembers Witkowsky and Mauno for their efforts on the Planning and Design Committee and for arriving at a recommendation that is fair to all. She expressed support for Mayor Walker's earlier suggestion that the area be designated as "Old Torrance, First Model City in the West," voicing her opinion that "Old Torrance Founded 1912" sounds dreary and unfinished.

Alan Smithart, Crenshaw Boulevard, stated that Crenshaw Boulevard is no longer historic because of modifications that have been made and indicated that he supports the designation "Old Torrance, First Model City in the West." Referring to a color-coded map, he discussed earthquake faults in the region and expressed concerns about damage that would occur to homes built between 1912 and 1946 in the event of an earthquake.

Mayor Walker advised Mr. Smithart that his concerns about earthquakes should be raised under "Orals."

Mary Steinkamp, Acacia Avenue, read a letter from Alice Berger Hammond, long-time Torrance resident, expressing dismay that Torrance has become over-built and over-crowded; thanking Save Historic Old Torrance for their efforts; and indicating her support for the designation "Old Torrance Historic District."

Ms. Steinkamp expressed her preference for "Old Torrance Olmsted District" or "Old Torrance Historic District." She maintained that Fredrick Law Olmsted's contribution to the City should be recognized despite a letter indicating that he was not happy with the execution of his design. She doubted that any financial gain would be realized by Councilmembers Scotto or Nowatka should the area be officially recognized with a name and asked that the City Attorney reconsider his advice and allow both to participate in this decision.

Assistant City Attorney Pohl advised that the California Fair Political Practices Committee has determined that councilmembers must abstain from consideration of any item involving a property district where they own property or within 500 feet of their property because there is a presumption that they have a conflict of interest.

Sarah Guyan, Gramercy Avenue, indicated that she favored, "Old Torrance Historical District," and that she did not object to "Old Torrance Established 1912." She expressed appreciation to Councilmembers Witkowsky and Mauno for the time they have spent on this issue and stressed the need to preserve the City's history and to educate the public.

Dave Schafer, Beech Avenue, stated that he did not believe "founded in 1912" does anything to distinguish the historic district and voiced his opinion that it should be designated as the "Olmsted District." He maintained that the City's association with this famous architect was something to brag about and using his name would be a boon to the area.

Nina McCoy, 220th Street, voiced support for designating the area as “Old Torrance, the Olmsted District,” stating that evidence of a single derogatory comment by Mr. Olmsted should be disregarded in view of his many accomplishments, which she briefly outlined for the benefit of the audience. She maintained that Jared Sidney Torrance specifically hired Frederick Law Olmsted, Jr., to design the city because of his status as a world-renowned city planner and viewed his participation as essential to the promotion of the city. She reported that the layout of original Torrance bears many features common to Mr. Olmsted’s designs, including curving streets that relieve the monotony of linear views and a focal point, which is the property where Torrance High now sits.

Mary Ann Reis, Engracia, indicated that she favored the designating the area as “Historic Old Torrance, the Olmsted District.”

Raymie McCoy, representing Save Historic Old Torrance (SHOT), reported that the Old Torrance area has been deemed historically significant by industry experts and therefore merits protection and indicated that his organization supports designating the area as “Old Torrance Founded 1912.” He questioned whether the City could afford new signage in view of recent budget cuts.

Councilmember Witkowsky, chair of the Community Planning and Design Committee, thanked Councilmember Mauno for working with her on the historic preservation issue and noted the hundreds of people who attended meetings on this topic. She voiced her opinion that the Council has taken a great first step toward preserving the City’s heritage by formally recognizing the original Torrance Tract and enabling residents to take advantage of the Mills Act. Additionally, she noted that a book will be available in the Community Development Department depicting period architecture to assist those who plan to do any construction in this area. She commended the Torrance Historical Society and Save Historic Old Torrance for the wealth of information they provided for the committee. She voiced support for the designation “Old Torrance Founded 1912,” noting that the downtown area has long been referred to as “Old Torrance” by those who live and work there.

MOTION: Councilmember Witkowsky moved to designate the original Torrance Tract as “Old Torrance Founded 1912.” The motion was seconded by Councilmember Mauno, and discussion briefly continued.

Councilmember Mauno noted that over a year ago he proposed that the Council consider implementing the Mills Act in order to promote awareness of the old Torrance area and to allow residents to take advantage of the property tax relief the state provides for people who sign a contract agreeing to preserve their historic homes. He stated that he believed the committee had come up with a fair and balanced approach to historic preservation and stressed the importance of having signage so that residents and visitors will recognize this special area of Torrance.

Councilmember Lieu noted that Raymie McCoy recently returned from a tour of duty serving in a war zone in the Middle East.

Councilmember McIntyre stated that she was very pleased an accord has been reached in this matter. She voiced her opinion that the Council has taken a very significant first step and commended the people who have led the discussion on historic preservation by conscientiously attending meetings to share their views over a long period of time. She expressed the hope that efforts will continue to educate the public on this topic.

Mayor Walker commended staff and Councilmembers Witkowsky and Mauno for their efforts; stated that he believed this long process has achieved the goal of providing identification for this special area of Torrance; and noted that references will continue to be made to old Torrance as the first model city in the west and the Olmsted District.

Mayor Walker called for a vote on the motion, and the motion passed by unanimous roll call vote, absent Councilmembers Nowatka and Scotto.

RESOLUTION NO. 2005-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DESIGNATING THE ORIGINAL TORRANCE TRACT AS "OLD TORRANCE FOUNDED 1912"

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2005-58. The motion was seconded by Councilmember Lieu and passed by unanimous roll call vote, absent Councilmembers Nowatka and Scotto.

16. ORAL COMMUNICATIONS

16A. City Clerk Herbers invited staff and public to view the watercolors of Torrance Artist Guild member Karen Smith Spillane on display in the City Clerk's office for the month of July.

16B. Councilmember Lieu reported that two California bases had been added to the base closure list and that vigilance is needed to keep the Los Angeles Air Force Base off the list.

16C. Councilmember McIntyre commended Save Historic Old Torrance for the very successful historic home tour held the previous weekend.

16D. Councilmember McIntyre reported that the resident hawk has returned to the Florwood sump after rescue and treatment at the Bird Rehab Station in San Pedro for an injured wing.

16E. Councilmember Witkowsky commented on hawks and a woodpecker in her neighborhood.

16F. Sarah Guyan suggested that the City consider selling old street signs to make money to pay for new signs, noting that she would be willing to purchase one.

16G. Mary Ann Reis suggested installing a large sign for the Old Torrance area on Torrance Boulevard at Van Ness.

16H. Alan Smithart expressed concerns that buildings in Old Torrance could be devastated by an earthquake because they are not bolted to the foundation.

City Manager Jackson noted that the Building and Safety Department made a concerted effort to educate the public about retrofitting opportunities 10-15 years ago and reported that larger old buildings in downtown Torrance have been retrofitted.

16I. Don Barnard, Save Historic Old Torrance, thanked the public for sharing photographs and stories for a book about old Torrance, which will be going to press shortly. He also thanked people for attending and sponsors for helping with the home tour. He noted that SHOT will be dark in August and the next meeting will be held on September 14.

16J. Harrison Scott, local author and historian, noted that much of Old Torrance and its history has been eroded over the years due to apathy and encouraged the city to take advantage of its history.

16K. Arnold Nimick, Bluff Street, expressed concerns about drainage problems on Bluff Street, and Community Development Director Gibson indicated that he would discuss this matter with the Public Works Department.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

18. ADJOURNMENT

At 8:40 p.m., the meeting was adjourned to Tuesday, August 2, 2005, at 6:00 p.m. for the regular meeting in the Council Chambers.

***Adjourned in Memory of
Peter Cariveau***

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on September 27, 2005